

10-10-01

#31
pg 10/12/01 1631

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dean L. Engelhardt et al.)

Serial No. 08/486,069)

Filed: June 7, 1995)

Title: NUCLEIC ACID SEQUENCING PROCESSES)
USING MODIFIED NUCLEOTIDES OR)
NUCLEOTIDE ANALOGS, AND OTHER)
PROCESSES FOR NUCLEIC ACID DETECTION)
AND CHROMOSOMAL CHARACTERIZATION)
USING SUCH MODIFIED NUCLEOTIDES OR)
NUCLEOTIDE ANALOGS (As Previously Amended))

Group Art Unit: 1631

Examiner: Ardin H. Marschel,
Ph.D.

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527 Madison Avenue, 9th Floor
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October 9, 2001

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Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

**COMMUNICATION TO TRANSMIT DOCUMENTS CITED IN APPLICANTS'
4TH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§1.56 & 1.97-1.98**

Dear Sirs:

Further to their September 19, 2001 Fourth Supplemental Information Disclosure Statement Under 37 C.F.R. §§1.56 & 1.97-1.98, Applicants are submitting copies of five (5) documents which while cited, were not available for submission in connection with their above-identified application.

Enz-5(D8)(C2)

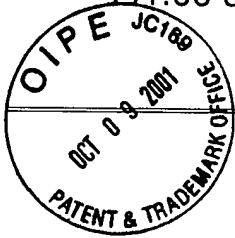
Dean L. Engelhardt et al.

Serial No.: 08/486,069

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Page 2 [(Communication To Transmit Documents Cited In Applicants' 4th Supplemental Information Disclosure Statement Under 37 C.F.R.

§§1.56 & 1.97-1.98) -- October 9, 2001]

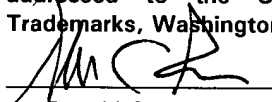


EXPRESS MAIL CERTIFICATE

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Deposit Date: OCTOBER 9, 2001

I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.110 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.


Ronald C. Fedus

Reg. Exhibit 32,567

OCT 9 2001

Date

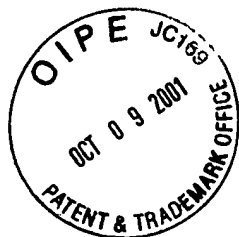
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These five documents submitted herewith include the following:

53. Kagakukai ed., "Fluorescence tagging" ~~Biochemistry Experiments Course 2, Nucleic Acid Chemistry III~~, pages 299-317 (1977) [Exhibit 53 to September 19, 2001 4th Supplemental IDS];

59. Douglass et al., "Methods and instrumentation for fluorescence quantitation of proteins and DNA's in electrophoresis gels at the I ng level," ~~Electrophoresis '78 N. Catsimpoolas, ed.~~, pages 155-165 (1978) [Exhibit 59 to 4th Supplemental IDS];

60. Gilbert W., "DNA-sequenzierung und gon-struktur (Nobel-Vortrag)" ~~Angewandte Chemie 93:1037-1046~~ (1981) [Exhibit 60 to 4th Supplemental IDS];

68. Husimi, Y. "DNA Sequences," ~~Oyo Buturi 51(12):1400~~ (1982) [Exhibit 68 to 4th Supplemental IDS]; and

72. Ulanov et al., "Electron microscopic determination of guanosine localization in DNA," ~~Chem. Abst. 67:1692~~ (1967) (abstract no. 17910c) [Exhibit 72 to 4th Supplemental IDS]; and

Applicants and their attorney made extensive efforts to locate any and all documents which had been cited in Smith et al., U.S. Patent No. 5,821,058, issued on October 13, 1998. These efforts included examining and copying from the papers in the '058 Patent file wrapper, and ordering missing documents from outside search services. Only the five above-listed documents could be obtained.

The five above-listed documents were listed on the Form PTO-1449 submitted with Applicants' September 19, 2001 Fourth Supplemental IDS. Thus, no form is being provided herewith.

No fee is believed due in connection with this Communication, a fee under 37 C.F.R. §1.17(p) having been previously authorized in Applicants' September 19, 2001 Fourth Supplemental IDS. In the event that any further fee or fees are due, however, The Patent and Trademark Office is hereby authorized to charge the

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Supplemental Information Disclosure Statement Under 37 C.F.R.
§§ 1.56 & 1.97-1.98) -- October 9, 2001]

amount of this fee (and any other fees in connection with this IDS) to Deposit
Account No. 05-1135, or to credit any overpayment thereto.

Respectfully submitted,



Ronald C. Fedus

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